

REMARKS

The specification is amended to correct a translation error as supported by the Japanese priority document. Specifically, the second full paragraph on page 52 of the present specification is amended to be consistent with paragraph [0086] of Japanese Patent Application No. 2003-44093, from which the present application claims priority, and which is incorporated into the original specification by reference on page 1. A certified translation of paragraph [0086] is submitted herewith. The material being inserted is the material previously incorporated, and the amendment contains no new matter.

Claims 1-3 and 7-9 are canceled. Claims 4, 10 and 13 are amended and claim 19 is added as a new claim. Support for the amendments to the claims is found, for example, in the original claims and the paragraph bridging pages 51 and 52, as amended.

Upon entry of the Amendment, claims 4-6 and 10-19 will be all of the claims pending in the application.

I. Claim Rejections - 35 U.S.C. § 103

A. Nakamura et al

Claims 1-3 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Nakamura et al.

B. Nakamura et al in view of Oshima et al

Claims 7-18 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakamura et al in view of Oshima et al.

II. Non- Rejected Claims

Claims 4-6 are not specifically addressed in the body of the Office Action although claims 1-18 are indicated as being rejected on the Office Action Summary sheet. Applicants believe that this may be an error and consider that claims 4-6 were intended to be included in the rejection under 35 U.S.C. § 103 over Nakamura et al in view of Oshima et al based on the Examiner's comments regarding the binder polymer which is an element recited in original claim 4 (and claims 5 and 6 depend from claim 4). Applicants request clarification of this matter for the record.

III. Applicants' Response

Applicants submit that the cited references, whether taken alone or in combination, do not teach or suggest the presently claimed invention.

Claim 4 is amended herein as an independent claim and recites a planographic printing plate precursor comprising on a substrate, a photosensitive layer containing an infrared absorbing agent represented by formula (a), a sulfonium salt polymerization initiator represented by the formula (I), a polymerizable compound and a binder polymer represented by formula (i).

By using a sulfonium salt polymerization initiator of which each aryl group is substituted with a chlorine atom, the sensitivity of the planographic printing plate precursor is improved compared to the case of aryl groups having no chlorine atom. It is thought that the chlorine atom stabilizes the benzene radical to allow easy generation of radical species so that sensitivity is improved. This is demonstrated in the attached Declaration under 37 C.F.R. § 1.132, which shows that the present invention provides unexpectedly superior results in sensitivity, printing

durability and storability of raw stock when both the sulfonium salt polymerization initiator wherein each aryl group is substituted with a chlorine atom and the binder polymer of the present invention wherein R^2 in formula (i) has a chain structure.

None of the cited references teaches or suggests a binder polymer within the scope of formula (i). The Examiner admits that Nakamura et al does not teach the binder polymer as recited in original claim 4. Claim 4 is amended herein to further limit the R^2 group, which also is not taught by Nakamura et al.

Oshima also fails to teach a binder polymer within the scope of formula (i) as recited in amended claim 4. Oshima et al discloses only binder polymers with carboxylic acid groups wherein R^2 in formula (i) has a cyclic structure, whereas R^2 in formula (i) of the presently claimed invention has a chain structure.

By using the binder polymer wherein R^2 in formula (i) has a chain structure, the stability of raw stock of the planographic printing plate precursor is improved compound to the case of R^2 having a cyclic structure, which is demonstrated by the Declaration under 37 C.F.R. § 1.132 submitted herewith. As shown in the Declaration, the planographic printing plate precursor using the binder wherein R^2 in formula (i) has a chain structure is superior in storability of raw stock compared to the case wherein R^2 has a cyclic structure. Thus, the present invention uses a specific combination of the polymerization initiator and the binder polymer, which is not taught or suggested by the prior art, and provides unexpectedly superior results over the prior art. Thus the presently claimed invention is not rendered obvious.

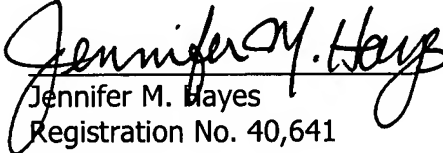
Accordingly, Applicants respectfully request withdrawal of the rejection.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Jennifer M. Hayes
Registration No. 40,641

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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